

**BOARD OF COMMISSIONERS
REGULAR MEETING
315 WEST SECOND STREET
FRANKFORT, KY 40601
502/875-8500**

**March 23, 2009
5:30 P.M. (EDT)**

1. INVOCATION

PLEDGE OF ALLEGIANCE

John Hammond

ROLL CALL

MINUTES

February 23, 2009 Regular Meeting; March 9, 2009 Work Session.

MAYOR'S REPORT

2. CEREMONIAL ITEMS

- 2.1** Recognition of Nick Castanis for presentation of one of his paintings donated to the Fire Department to be displayed in the Public Safety Building.

3. CITIZEN COMMENTS

4. ORDINANCES

- 4.1 SECOND READING:** An Ordinance amending Frankfort Code of Ordinances Chapter 32, Section 32.03, Meetings.

Purpose: The purpose of this Ordinance is to fix the time of the meetings of the Board of Commissioners.

Background: The Board of Commissioners finds it necessary to change the time of monthly Meetings to conduct the City's business. All meetings currently begin at 5:30 p.m. This Ordinance changes the starting times for all meetings of the Board of Commissioners to 5:00 pm.

This Ordinance had its first reading on February 23, 2009.

Recommendation: Approval

Attachment:

- Ordinance

Contact Person

Name: Tony Massey
Title: City Manager
Department: City Manager
Phone: 502/875-8500
Email: Amassey@frankfort.ky.gov

- 4.2 SECOND READING:** An Ordinance amending Frankfort Code of Ordinances, Chapter 37, Personnel: City Employees, Section 37.34, Biweekly Rates.

Purpose: To amend a section of Frankfort Code of Ordinances to adjust Human Resources Director position classification.

Background: This ordinance change is to change the grade of the Human Resources Director.

This Ordinance had its first reading on March 9, 2009.

Financial Analysis: Funds are available in the 2008-2009 Budget.

Recommendation: Approval

Attachment:

- Ordinance

Contact Person:

Name: Tony Massey
Title: City Manager
Department: City Manager
Phone: 502/875-8500
Email: Amassey@frankfort.ky.gov

5. ORDERS

5.1 An Order committing the local share of funds necessary to secure a Section 5316 Grant application.

Purpose: The purpose of this item is to adopt an order committing the City's share of funds to obtain a Section 5316 Grant to assure the operation of the transit service for a minimum of one year.

Background: This order must be adopted each year in order to apply for a Section 5316 Grant. The 5316 Grant request will be in the amount of \$60,000.00 for Operating & Administration costs of which the City is obligated to cover 50% (\$30,000.00) and the Federal Government will pay 50% (\$30,000.00). The City is also to assure the operation of this service for a minimum of one year.

Recommendation: Approval

Attachment:

- Order

Contact Person:

Name:	Jeff Hackbart	Rebecca Hall
Title:	Director	Grants Manager
Department:	Public Works	City Commission
Phone:	502/875-8500	502/875-8500
Email:	jhackbart@frankfort-ky.gov	rhall@frankfort.ky.gov

5.2 An Order committing the local share of funds necessary to secure a Section 5317 Grant application.

Purpose: The purpose of this item is to adopt an order committing the City's share of funds to obtain a Section 5317 Grant to assure the operation of the transit service for a minimum of one year.

Background: This order must be adopted each year in order to apply for a Section 5317 Grant. The 5317 Grant request will be in the amount of \$60,000.00 for Operating & Administration costs of which the City is obligated to cover 50% (\$30,000.00) and the Federal Government will pay 50% (\$30,000.00). The City is also to assure the operation of this service for a minimum of one year.

Recommendation: Approval

Attachment:

- Order

Contact Persons:

Name:	Jeff Hackbart	Rebecca Hall
Title:	Director	Grants Manager
Department:	Public Works	City Manager

Phone: 502/875-8500 502/875/8500
Email: jhackbart@frankfort.ky.gov rhall@frankfort.ky.gov

6. RESOLUTIONS

- 6.1 Resolution authorizing the filing of an application for 2009 Kentucky Recycling, Household Hazardous Waste & Mercury Grant with the Kentucky Division of Waste Management – Recycling Assistance Section.

Purpose: To authorize the submission of a 2009 Kentucky Recycling, Household Hazardous Waste & Mercury Grant Application for costs related to recycling such as a Fork Truck, a Shrink Wrap Turntable, Printing and Educational materials, and authorizing the Mayor to sign all grant-related documents.

Background: The City offers recycling services to the community and the quantity is continually increasing due to greater public awareness. The State has a Recycling, Household Hazardous Waste & Mercury Grant Program that can aid in recycling costs. The Sanitation Department would like to apply for funds for Fork Truck, a Shrink Wrap Turntable, and Printing and Educational materials. Costs for these items total \$57,913. The City is required to have a 25% match for the grant; however, in-kind and Personnel costs are eligible activities. Personnel costs for the City's recycling program exceed \$180,000.00 which more than meets the 25% match requirement.

Financial Analysis: Personnel costs exceed the 25% match requirement for the grant, so there would be no cash match required.

Recommendation: Approval

Attachment:

- Resolution

Contact Persons:

Name:	David Sams	Rebecca Hall
Title:	Sanitation Supervisor	Grants Manager
Department:	Public Works	City Manager.
Phone:	502/875-8575	502/352-2076
Email:	Dsams@frankfort.ky.gov	Rhall@frankfort.ky.gov

- 6.2 Resolution supporting the Frankfort area's 10 year plan to reduce chronic homelessness.

Purpose: The purpose of this item is to consider supporting the Frankfort Area's 10 Year Plan to Reduce Chronic Homelessness.

Background: The state of Kentucky recently adopted a statewide Ten Year Plan to End Chronic Homelessness. In April of 2006 several cities in Kentucky, including Frankfort, were asked to consider creating a Ten Year Plan to End Chronic Homelessness for their communities. The City of Frankfort is only the second community in the state to contact the Kentucky Housing Corporation to inquire about how to begin creating a plan. KHC has agreed to give the city a \$5,000.00 grant to help offset some of the administrative fees for this project. The Mayor invited a number of local service providers and interested citizens to participate in the Coalition. The Coalition made a presentation to the Commission on Monday, August 11, 2008 with recommendations. In August of 2008 the City Commission passed a resolution to support the creation of the 10 Year Plan. In the fall of 2008 the plan was presented to and accepted by the Kentucky Housing Authority. A copy of the plan was given to Commission members at the February 2009 Work Session. At this time the Coalition would like to ask the Commission to accept and support the plan.

Attachment:

- Resolution

Contact Person:

Name: Rebecca Hall
Title: Grants Manager
Department: City Manager
Phone: 502/875-8500
Email: rhall@frankfort.ky.gov

7. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.

- 7.1** To authorize the Mayor to sign the Exchange of Information Agreement between the City of Frankfort and the Kentucky Department of Revenue (Finance Department).

Purpose: The contract states that the City of Frankfort will not disclose information that is received by the Department of Revenue to another third party.

Background: In accordance with KRS 131.190, this agreement states that information acquired by the City of Frankfort from the Revenue Cabinet is not to be disclosed to any third party or to become part of any public record.

Recommendation: Approval

Attachments:

- Exchange of Information Agreement

Contact Person:

Name: Stephen R. Dawson
Title: Director
Department: Finance
Phone: 502/875-8500
Email: sdawson@frankfort-ky.gov

- 7.2** To authorize the filing of an application for 2009 DHS/FEMA AFG grant funds and to authorize the Mayor to execute all grant documents necessary (Fire Department).

Purpose: To authorize the filing of an application for 2009 DHS/FEMA AFG grant funds and to authorize the Mayor to execute all grant documents necessary.

Background: This is the ninth year that Congress has appropriated funds for eligible fire departments. In cities of our population size awarded grants require a 10% match in funds. The grant application period opens March 16, 2009 with a closing deadline of April 17, 2009. Our grant application will include a funding request for operational equipment that cannot otherwise be purchased without a grant due to current budget constraints. Should the grant be awarded, it will be in Fiscal Year 2009/2010 and 10% in matching funds will need to be obligated.

Financial Analysis: It is anticipated that the grant request will be up to \$120,000. Therefore up to \$12,000 in matching funds will be required.

Recommendation: Approval

Attachments: None

Contact Person

Name: Wallace Possich
Title: Fire Chief
Department: Fire
Phone: 502/875-8511
Email: wpossich@frankfort.ky.gov

- 7.3 To approve an Agreement between the City of Frankfort and the Frankfort Independent Schools Board of Education (Parks and Recreation).

Purpose: To approve an agreement between the City of Frankfort and the Frankfort Independent Schools Board of Education providing for the use of one baseball field at Capitol View Park, for the use of one softball field at Lakeview Park, the use of the courts at Juniper Hills Park, the use of the Juniper Hills Golf Course, and the use of the Sower Soccer Fields. A fee of \$50 per day per field shall be paid by the Frankfort Independent Schools Board of Education for use of the softball and baseball fields to pay for the maintenance costs. The Frankfort Independent Schools Board of Education will be required to indemnify the City of Frankfort for any damages arising out of its use of City facilities. The Frankfort Independent Schools Board of Education is required to ensure that its use of the fields does not conflict with the City's scheduled use of the fields. The Agreement is for a term of one year, but can be extended for four additional one year terms.

Background: The City of Frankfort has previously entered into an agreement with the Frankfort Independent Schools Board of Education authorizing it to use the City's recreational facilities. The former agreement has expired. Therefore, this new agreement is required.

Financial Analysis: The Frankfort Baseball Association will pay a \$25 fee per day per field to cover maintenance costs.

Recommendation: Approval

Attachment:

- Agreement

Contact Person

Name:	Jim Parrish	Jim McCarty
Title:	Co-Director	Co-Director
Department:	Parks and Recreation	Parks and Recreation
Phone:	502/875-8575	502/875-8575
Email:	jparrish@frankfort.ky.gov	jmccarty@frankfort.ky.gov

- 7.4 To approve an Agreement between the City of Frankfort and the Frankfort Baseball Association providing for the use of baseball fields at East Frankfort Park and Lakeview Park for one (1) pre-season tournament and one (1) post season tournament (Parks and Recreation).

Purpose: To approve an Agreement between the City of Frankfort and the Frankfort Baseball Association providing for the use of baseball fields at East Frankfort Park and Lakeview Park for one (1) pre-season tournament and one (1) post season tournament. A fee of \$25 per day per field shall be paid by the Frankfort Baseball Association for use of the field to pay for the maintenance costs. The City will not prepare the fields for games as it does for other entities using the City's fields. The Association will be required to provide insurance covering the City of Frankfort and to indemnify the City of Frankfort, and is also required to ensure that its use of the fields does not conflict with the City's scheduled use of the fields. The Agreement is for a term of one year, but it can be extended for four additional one year terms.

Background: The Frankfort Baseball Association sponsors a team for baseball players that are too old to play in the City Sponsored leagues. Accordingly, the City of Frankfort has previously entered into an agreement with the Frankfort Baseball Association authorizing it to use the City's fields at East Frankfort

Park when the use of the fields does not conflict with the City's use of the fields. The former agreement has expired. Therefore, a new agreement is required.

Financial Analysis: The Frankfort Baseball Association will pay a \$25 fee per day per field to cover maintenance costs.

Recommendation: Approval

Attachment:

- Agreement

Contact Person

Name:	Jim Parrish	Jim McCarty
Title:	Co-Director	Co-Director
Department:	Parks and Recreation	Parks and Recreation
Phone:	502/875-8575	502/875-8575
Email:	jparrish@frankfort.ky.gov	jmccarty@frankfort.ky.gov

- 7.5 To approve the Agreement between the City of Frankfort and KSU for the use of one softball field at Lakeview Park (Parks and Recreation).

Purpose: To approve the Agreement between the City of Frankfort and KSU for the use of one softball field at Lakeview Park.

Background: The City of Frankfort has previously entered into an agreement with KSU authorizing it to use one softball field at Lakeview Park when the use of the field does not conflict with the City's use of the field. The former agreement has expired; therefore, this new agreement is required. A fee of \$50 per day per field shall be paid by KSU for use of the field to pay for the maintenance costs. KSU is required to indemnify the City of Frankfort. The Agreement is for a term of one year, but it can be extended for four additional one-year terms.

Financial Analysis: The Frankfort Baseball Association will pay a \$50 fee per day per field to cover maintenance costs.

Recommendation: Approval

Attachment:

- Agreement

Contact Person

Name:	Jim Parrish	Jim McCarty
Title:	Co-Director	Co-Director
Department:	Parks and Recreation	Parks and Recreation
Phone:	502/875-8575	502/875-8575
Email:	jparrish@frankfort.ky.gov	jmccarty@frankfort.ky.gov

- 7.6 To authorize purchase of a 2009 Ford F350 Crew Cab 4WD Pickup through State Contract Pricing (Sewer Department).

Purpose: To authorize purchase of 2009 Ford F350 Crew Cab 4WD Pickup through State Master Contract from Bill Collins Ford.

Background: This is a utility vehicle for the collection construction crew which will replace Unit 92C.

Financial Analysis: Funds are available in account no. 300.68.56550. The State Contract price is \$37,749 (State Contract # MA 758 0600000524)

Recommendation: Approval

Attachment:

- Quote

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort.ky.gov

- 7.7** To authorize generation of a Purchase Order to General Chemical for Aluminum Sulfate (Liquid Alum) for Phosphorus Removal at the Wastewater Treatment Plant (Sewer Department).

Purpose: Authorization to generate Purchase Order to General Chemical for Liquid Alum for Phosphorus Removal at the Wastewater Treatment Plant.

Background: The Sewer Department issued a request for proposals in October 2008 for the purchase of Liquid Alum for Phosphorus removal at the Wastewater Treatment Plant. This is a KPDES Permit requirement. We received no bids and General Chemical is the regional Liquid Alum distributor for this area.

This Purchase Order, in the amount of \$30,000, will cover the Department's need through the remainder of this Fiscal Year at which time we intend to rebid.

Financial Analysis: Funding is available in Account No. 300.68.54335.

Recommendation: Approval

Attachments: None

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort.ky.gov

- 7.8** To authorize bid award for pool chemicals for the 2009 swimming season (Parks and Recreation).

Purpose: The purpose of this item is to award the bid for pool chemicals for the 2009 swimming season.

Background: On February 6, 2009 the Parks and Recreation Department mailed out its annual invitation to bid for pool chemicals for the 2009 swimming season, to five potential bidders.

Bids were opened and read aloud on February 26, 2009 at 10:00 a.m. at the Juniper Hill Park office. Three bids were received, and the following low bids are recommended for award:

- 1) Swim Pro Supply, Lexington, KY

Item #1: Hypochlorite Tablets \$ 1.80/lb.

2) Brenntag Mid-South, Georgetown, KY

Item #2: Muriatic Acid 55 gal.	\$23.21 100 lbs.
Item #3 Muriatic Acid 15 gal.	\$35.61 each
Item #4 Cynaric Acid	\$.88/lb.

Financial Analysis: The anticipated cost for pool chemicals is \$17,500 annually, half of which is budgeted in Division 82 this fiscal year ending June 30, 2009, and the rest of this contract in July and August 2009. Funds come from Account No. 100.82.54335.

Recommendation: Approval.

Attachments:

- Bid Tabulation Sheets

Contact Person:

Name: Jim Parrish
Title: Co-Director
Department: Parks & Recreation
Phone: 502/875-8575
Email: JParrish@Frankfort.ky.gov

- 7.9 To authorize award of an engineering contract to GRW Engineers for the design of a Pump Station along US 60 and US 127, to replace the West Frankfort Pump Station (Sewer Department).

Purpose: The purpose of this item is to authorize a contract with GRW Engineers for design and bidding services for a new Pump Station along the US 60 and US 127 corridor to replace the West Frankfort Pump Station. This project is estimated to eliminate 1 sanitary sewer overflow.

Background: West Frankfort Pump Station pumps majority of sewage on the west side of town. The station was built in 1981 and has surpassed its useful life. With the growth on the west side of town the station is undersized and has recently started bypassing during wet weather. This contract will cover evaluation, design, and bidding.

The total contract amount is not to exceed \$225,000.

Financial Analysis: Funds are available in Account No. 300.68.54390.

Recommendation: Approval

Attachment:

- Draft Engineering Agreement

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort.ky.gov

- 7.10 Authorization of a bid award to _____ to provide a hydraulically equipped utility truck complete with hydraulic tools and equipment (Sewer Department).

Purpose: The purpose of this item is to consider a bid award to _____ to provide a hydraulically equipped utility truck complete with hydraulic tools and equipment for use in the sewer collection system.

Background: Currently the sewer department works primarily with hand tools, this truck will enable the construction crews to work more efficiently and effectively with less risk of injury.

The bid is recommended to be awarded to _____ who is the lowest responsible bidder at \$_____

Financial Analysis: Funding is available in Account No. 300.68.56550.

Recommendation: Approval

Attachment:

- Bid Tab (To be provided - Bid Date March 17)

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort-ky.gov

7.11 To authorize a bid award to _____, Inc. to purchase four (4) bus shelters (Public Works)

Purpose: To consider a bid award to _____, Inc. to purchase four (4) bus shelters.

Background: On _____, the City received _____ bus shelter bids. The bids ranged from \$_____ to the low bid of \$_____ submitted by _____. The city currently has four bus shelters on its three fixed transit routes. The four new shelters will be placed in high use areas determined by the Transit Superintendent.

Financial Analysis: The city will utilize a \$36,000 State of Good Repair Transit Grant to fund the purchase of these four bus shelters. No city match is required. The total cost for the four bus shelters is \$_____.

Recommendation: Approval

Attachments:

- Agreement (To be provided when known)
- Bid Tabulation Sheet (To be provided when known)

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: 502/875-8500
Email: jhackbart@frankfort.ky.gov

7.12 To waive the Payment in Lieu of Taxes (PILOT) for the Frankfort Housing Authority for the year 2008 (Finance Department).

Purpose: To authorize waiver of the Frankfort Housing Authority's 2009 PILOT payment for the year 2008.

Background: This is the annual request to waive the annual PILOT payment.

Recommendation: Approval

Attachment:

- Letter from Housing Authority Executive Director Carol Anthony.

Contact Person:

Name: Tony Massey
Title: City Manager
Department: City Manager
Phone: 502/875-8500
Email: Amassey@frankfort.ky.gov

7.13	<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Date</u>	<u>Other</u>
	<u>Retirement</u>	Glen Sanford	Sewer	3-31-09	Plant Operator III; authorize payment of all accrued time as of effective date
	Resignation	Chris Brown	Planning & Building Codes	3-6-09	Staff Planner; authorize payment of all accrued time as of effective date
		Mary Driver	Communications	3-18-09	Telecommunicator; authorization to pay all accrued time as of effective date

Attachments:

- Glen Sanford retirement letter
- Chris Brown resignation letter
- Mary Driver resignation letter

Contact Person

Name: Tammy Fields
Title: Acting Human Resources Director
Department: Human Resources
Phone: 502/875-8500
Email: tfields@frankfort.ky.gov

8. BOARD APPOINTMENTS**8.1 Code Enforcement Board:**

- Reappointment of Joe R. Johnson, for a term ending 3-22-12.

Attachment:

- Mayor's letter of recommendation

9. OLD BUSINESS

- 9.1** To consider approval of the signing of the Real Estate Sale and Purchase Agreement to be entered into by and between the City of Frankfort and Dr. Evelyn Clark.

Purpose: To approve the signing of the Real Estate Sale and Purchase Agreement to be entered into by and between the City of Frankfort and Dr. Evelyn Clark. Pursuant to the terms of the Agreement, the City of Frankfort is to sell Lot 2B-3 and a portion of Lot 2B-2 located on Burch Court in the Carpenter Farm to Dr. Evelyn Clark for the amount of \$150,000. Dr. Clark has requested the City to waive the restrictions requiring that the building constructed on this property be at least 5,000 square feet, face the street and have only one driveway.

Background: The property to be purchased by Dr. Clark is approximately 1.172 acres. It is located on Burch Court in the Carpenter Farm. An office building will be built on the lots, and Dr. Clark will be

operating a dental clinic at this location. These lots have been for sale for a number of years. The remaining portion of Lot 2B-2 is to be purchased by another entity in the near future.

Financial Analysis: There will be a positive fiscal impact in the amount of \$150,000.

Recommendation: Approval

Attachment:

- Real Estate Sale and Purchase Agreement

Contact Person:

Name: Rob Moore
Title: City Solicitor
Department:
Phone: 502/227-2271
Email: rmoores@hazelco.com

10. NEW BUSINESS

11. ADJOURNMENT